

CITIZEN-PROPOSED ISSUE PAPER

Date: November 21, 2018

ISSUE:	Petition CPW to prohibit recreational and commercial trapping of bobcats in Colorado. The information in this petition references <u>Colorado Parks and Wildlife Regulations: Chapter W-03 - Furbearers and Small Game</u> #300.B “Furbearers” which currently includes bobcats #302.A and #302.B which includes hunting and trapping hours for bobcats #303.E and #17122.A which cover the manner of take of bobcats #324 which includes season dates and bag and possession limits for bobcats
DISCUSSION (FACTS AND FIGURES, EXPLANATION OF ISSUE):	

1. Recreational and commercial hunting and trapping of bobcats severely threatens the safety of Canada Lynxes in Colorado. Bobcats exist and overlap in endangered Canada Lynx territory in Colorado. Both species are elusive, strikingly similar in appearance, and attracted to the same prey such as snowshoe hares, mice, and other rodents. They are medium sized cats with ear tufts, and short, bobbed tails.¹ Their coat colors may vary from reddish brown to gray. Although lynxes are typically thought to have more gray coloration, bobcat coat color can change from brown to gray in the winter² causing them to appear almost identical in appearance to lynxes, which is one of the only features a hunter can use to differentiate a bobcat from a lynx, especially when at a distance or in deep snow. Ear tufts and facial ruffs are not a reliable means of distinguishing the two species either, since heavily furred bobcats will have longer ear tufts and prominent facial ruffs similar to lynxes.³ Furthermore, regulation #302.A and #302.B allow hunting and trapping of bobcats during periods of limited visibility and at night, which makes distinguishing the two species virtually impossible.
2. Canada Lynxes are listed as threatened and have been protected by the federal Endangered Species Act since 2000. Indeed, it is illegal to harm or kill a Canada Lynx. The species was reintroduced into CO with radio collars starting in 1999 after they had been extirpated due to trapping and the fur trade.⁴ Trapping continues to be a significant cause of mortality of Canada lynxes: In areas where trapping of Canada lynxes is permitted, mortality rates have been noted to range from 50 to 90%, and in areas where Canada lynxes are protected, mortality rates have been noted to range from 0 to 27%, increasing when mothers with dependent young are trapped.⁵ Lynxes are attracted to bait set for bobcats, and can be harmed, injured or killed when caught in traps. Trappers are only required to check traps once every 24 hours. Lynxes can suffer from dehydration, exposure to the elements, trauma, fractures, wounds, stress, anxiety, and/or capture myopathy (severe muscle damage as a result of struggling and exertion) and harm may not be immediately apparent or may take days to weeks to manifest.^{6 7} In addition, after the reintroduction of lynxes in Colorado, CPW follow up monitoring revealed gunshot to be one of the leading causes of death between 1999 and 2007.⁸ Although CPW did not have any details regarding these gunshot incidents when I submitted a CORA request, it is likely that some of the shot lynxes were mistaken for bobcats since they had been federally protected since 2000.
3. Persons obtaining a small game license in order to hunt in Colorado are only required to have gun safety education but are not required to read the United States Fish & Wildlife Service's brochure How to Avoid Incidental Take of Lynx While Trapping or Hunting Bobcats and other Furbearers or have *any* training regarding differentiating a lynx from a bobcat. Hunters and even trained professionals can have great difficulty differentiating bobcats from lynxes.
4. Since lynxes are commonly caught in traps set for bobcats, a district judge recently ruled in federal court that the USFWS must take action to prevent threatened Canada lynxes from being killed by trapping.⁹ The USFWS acknowledges that "incidental take of lynx will be difficult to detect because there is little likelihood that trappers would report bycatch of lynx."¹⁰ Furthermore, trappers are not even remotely qualified to determine if lynxes are harmed or injured when caught in traps. Lynxes may suffer from exposure or injuries that can ultimately be life threatening and not immediately obvious. Finally, regulation #324.B allows unlimited bag and possession of bobcats, which creates more of an incentive for hunters and trappers and threatens the safety of lynxes.¹¹ Similar to USFWS, Colorado Parks and Wildlife needs to be taking a proactive role in protecting Canada lynxes from injury and death that occur as a result of hunting and trapping.
5. Regulation #324.A which allows bobcat hunting annually from December 1st until the end of February threatens pregnant bobcats, bobcats with dependent young, and lynxes with dependent young. Bobcat breeding season occurs in early winter, and may occur as early as December.¹² Canada lynxes breed in March or April, giving birth to only 1 or 2 kittens in May or July. Lynx kittens remain with their mothers for 9 to 10 months learning crucial survival skills such as

where and how to find shelter and food. Mother lynxes who are injured or killed during bobcat hunting and trapping season would cause orphaned, dependent lynx kittens to die of starvation or exposure to the elements.¹³

6. The current regulations that CPW has in place to protect lynxes are inadequate because lynxes have large home ranges, do not stay within artificial boundaries, and a complete assessment of lynx habitat is largely unknown in Colorado. The habitats known to be used by the reintroduced lynxes in Southwest Colorado have been studied by CPW, but the ability to monitor dispersal and habitat use of offspring and future generations of lynxes is limited.¹⁴ Although CPW has a designated “Canada Lynx Recovery Area” in the San Juan and Rio Grande National Forests and associated lands in this area above 9,000 feet, lynxes can migrate long distances, juveniles disperse and migrate through various habitats before establishing home ranges, and habitat use can vary based on prey availability. Regulation #302.B.2.a which prohibits the use of certain lures to attract felids within the lynx core recovery area and areas known to be occupied by Canada lynxes is insufficient since lynxes migrate and exist outside of these areas. Furthermore, there is no plausible method in which to enforce this regulation. In addition, although CPW has regulations that restrict bobcat hunting at night in/around the lynx core recovery area in the event a hunter takes a lynx, as mentioned above—and acknowledged by the USFWS—incidental takes of lynxes likely go unreported. This regulation does nothing to protect lynxes from the dangers of bobcat hunting and trapping that occur during daylight hours. As habitats change in Colorado, physiological and behavioral adaptations of Canada lynxes will alter their habit ranges and diet. The lynx core recovery area that has been established would change with the plasticity of the species. CPW can greatly increase protections for Canada lynxes in Colorado by prohibiting recreational and commercial bobcat hunting and trapping throughout the state.
7. Other states prohibit hunting and/or trapping of bobcats for valid reasons and Colorado should do the same. New Hampshire has protected bobcats since 1989¹⁵ and recently rejected a proposal to allow bobcat trapping and hunting since the proposal would endanger federally protected Canada lynxes.¹⁶ In 2015, California banned recreational and commercial bobcat trapping after residents were angered when learning that the industry was still alive when a bobcat trap was found near Joshua Tree National Park.¹⁷
8. Very few people are hunting and trapping bobcats in Colorado. Based on information I received during a recent Colorado Open Records Act (CORA) request, only 751 hunters/trappers harvested bobcats during the 2017 season. In the 2016 season, only 728 hunters/trappers harvested bobcats, and the 2015 season only had 531.¹⁸ In 2017, the population of Colorado was estimated to be 5.5 million,¹⁹ therefore an extremely small percentage of the population (0.0001%) is hunting/trapping bobcats.
9. Our wildlife belongs to everyone. Bobcats should not be killed by the minority for fun or profit. A 2016 census by USFWS, revealed that 86 million U.S. residents 16 years old and older participated in wildlife watching, as opposed to 11.5 million participating in hunting.
10. Bobcats in Colorado are worth more alive than dead. Colorado generates far more revenue in wildlife viewing than in hunting. Colorado is a popular tourist destination. A 2011 Survey by USFWS of fishing, hunting, and wildlife watching in Colorado revealed that of those who participated in the survey, 1.8 million participated in wildlife watching, while only 259 thousand participated in hunting. Another study published in 2013 by Southwick Associates revealed that wildlife watching contributed \$2.2 billion to the local economy and supported about 19,000 jobs, while hunting contributed \$919 million and supported about 10,000 jobs. A recent study in Yellowstone estimated a bobcat frequently seen by tourists near the Madison River had an economic value of over \$300,000 due to tourism and visitor activity. This is 1000 times the value had the bobcat been killed and the pelt sold for approximately \$185.²⁰

11. Public attitudes are shifting regarding hunting and trapping, especially with respect to trophy hunting and killing animals for their fur. Hunters usually kill bobcats in order to sell the fur on the foreign market or keep for themselves as trophies. Bobcats killed for their fur are typically skinned and the rest of the carcass is discarded. The vast majority of Americans vehemently oppose trophy hunting, trapping, and killing animals for their fur, and recent battles over whether to allow bobcat hunting in various states show that many Americans are extremely concerned about the species and oppose bobcat hunting and trapping.²¹ Some cities such as San Francisco and Los Angeles have even banned the sale of fur. CPW regulations need to reflect the current views of most Americans and Coloradans.
12. Trappers often kill bobcats by illegal and cruel methods that cause the animals to experience unnecessary, prolonged suffering, and pain. Trappers report strangling bobcats to death using a “choke stick” which is a pole with a snare on the end. Trappers state the fur is worth more. One trapper’s father stated to me in a phone conversation on March 26, 2017 that his son strangled a bobcat. He reported that it was “gruesome” and “it takes 3 minutes” and “that’s how trappers do it around here.” Amendment 14 of the Colorado Constitution states: “It shall be unlawful to take wildlife with any leghold trap, any instant kill body-gripping design trap, or by poison or snare in the state of Colorado.”²² Furthermore, CPW officials do not appear to have the capacity or resources necessary to regulate the manner in which trappers are killing bobcats.
13. Bobcats naturally reduce rodent populations which is beneficial for the majority of Colorado residents and help eliminate the need for toxic rodenticides that are indiscriminately poisoning domestic pets and wildlife.²³

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WHO MIGHT BE INTERESTED IN THIS ISSUE? HAVE YOU COMMUNICATED WITH ANY OTHER INTERESTED PARTIES? WHAT INPUT HAVE YOU RECEIVED?

Colorado residents, visitors to Colorado, and animal welfare groups are interested in this issue. I have communicated with hundreds of citizens in the past year and a half (CO residents and nonresidents) who are interested in this issue. Almost all of the parties I have spoken to had no idea that bobcats were legally allowed to be hunted or trapped in the state of Colorado. These parties were appalled that recreational and commercial bobcat hunting was permitted in Colorado and eagerly support a ban. In addition, I have spoken to dozens of people in southwestern Colorado—where there is habitat suitable for lynxes—who are extremely concerned with protecting the species from the detrimental effects of recreational and commercial bobcat hunting and trapping. These parties also support a ban on recreational and commercial bobcat hunting in Colorado.

ALTERNATIVES: PLEASE INDICATE THE PROBABLE OUTCOME IF THIS PETITION IS ACCEPTED, AS WELL AS THE IMPACT OF ALTERNATIVES TO THIS PETITION:

1. Bobcat populations will likely stabilize in Colorado if the petition is accepted. According to the CPW Furbearer Management Report 2016-2017 Harvest Year bobcat populations appeared to be increasing in some regions of Colorado, while decreasing in others between 2012 to 2016. Scientific evidence shows that wild animal populations self-regulate based on food availability and carrying capacity of the environment.^{24 25}
2. Lynx populations would likely increase in Colorado if the petition is accepted. CPW estimates there are currently only as few as 150 to 250 Canada lynxes in the state. If the petition is not accepted, lynxes will likely continue to be harmed or killed in violation of federal law.
3. CPW will be able to reduce the resources currently required for issuing seals for bobcat pelts and monitoring methods of take if the petition is accepted.

References:

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**DATE SENT TO THE
COMMISSION:**

November 23, 2018